



US Army Corps  
of Engineers®  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# PUBLIC NOTICE

**Date: January 30, 2001**

**Comment Period Ends: March 1, 2001**

**File Number: 200003047**

**In Reply Refer To: M. James Sheehan**

**Or by e-mail: michael.j.sheehan@usace.army.mil**

**The Woods Hole Oceanographic Institution** has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899, to deploy 15 rows of subsurface longlines for blue mussel (*Mytilus edulis*) aquaculture in the U.S. Exclusive Economic Zone off the coast of Massachusetts. The purpose of the project is to continue testing the engineering feasibility, biological productivity, and survivability of a longline for ocean culture of the blue mussel. The Woods Hole Oceanographic Institution currently holds Permit No. 199800289 to deploy and maintain a single subsurface longline at this site as part of a demonstration project to culture blue mussels.

This project may affect approximately 70 acres of Essential Fish Habitat (EFH) for various life stages of the following species: Atlantic cod (*Gadus morhua*); haddock (*Melanogrammus aeglefinus*); whiting (*Merluccius bilinearis*); red hake (*Urophycis chuss*); winter flounder (*Pleuronectes americanus*); yellowtail flounder (*Pleuronectes ferruginea*); windowpane flounder (*Scopthalmus aquosus*); ocean pout (*Macrozoarces americanus*); Atlantic sea herring (*Clupea harengus*); monkfish (*Lophius americanus*); bluefish (*Pomatomus saltatri*); Atlantic butterflyfish (*Peprilus triacanthus*); Atlantic mackerel (*Scomber scombrus*); summer flounder (*Paralichthys dentatus*); scup (*Stenotomus chrysops*); black sea bass (*Centropristus striata*); spiny dogfish (*Squalus acanthias*); king mackerel (*Scomberomorus cavalla*); Spanish mackerel (*Scomberomorus maculatus*); cobia (*Rachycentron canadum*); common thresher shark (*Alopias vulpinus*); blue shark (*Prionace glauca*); dusky shark (*Charcharinus obscurus*); shortfin mako shark (*Isurus oyrhyncus*); sandbar shark (*Charcharinus plumbeus*); bluefin tuna (*Thunnus thynnus*). This project may affect both surface and bottom habitats. Loss of these habitats may affect some or all of the species listed above; however the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

At the request of the National Marine Fisheries Service, under provisions of the US Endangered Species Act, the applicant prepared the Corps Biological Assessment in May 1998 to assess the impacts of the deployment of a longline for growing blue mussels on certain protected species in the same location. The Biological Assessment and the Biological Opinion concluded that the risk to protected species of this type of subsurface structure is small.

This project is located on the U.S. Coast Guard and Geodetic Survey nautical chart No. 13218. The longlines will be deployed within a scientific testing area known as the "WHOI Buoy Farm," which is located at 41-degree 15.8-minutes north latitude and 71-degrees 2-minutes west longitude.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact M. James Sheehan at (978) 318-8696, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

SEE NEXT PAGE FOR  
DETAILS OF EVALUATION  
FACTORS

Chief, Permits & Enforcement Section  
Regulatory Branch

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties listed in, or eligible for listing in, the National Register of Historic Places, and no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, or will be obtained:

- ☐ Permit, License or Assent from State.
- ☐ Permit from Local Wetland Agency or Conservation Commission.
- ☐ Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

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NAME:

ADDRESS:

LOCATION MAP

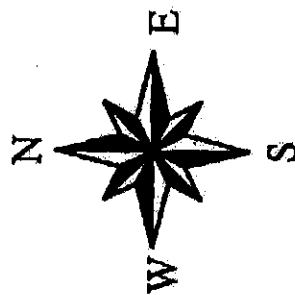
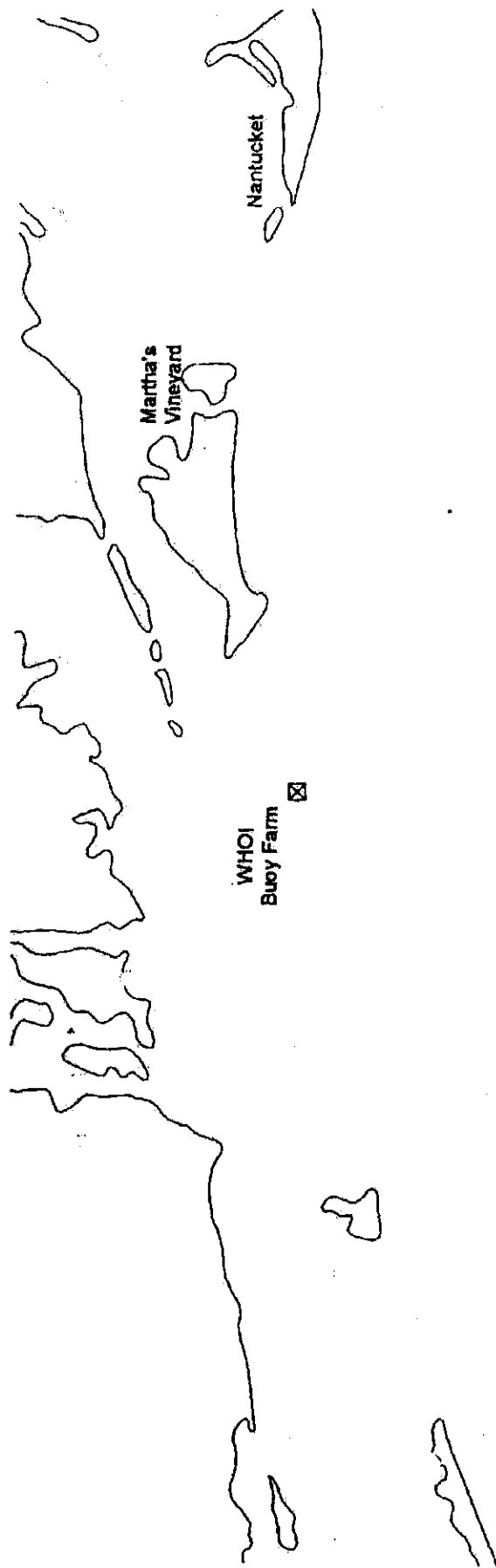
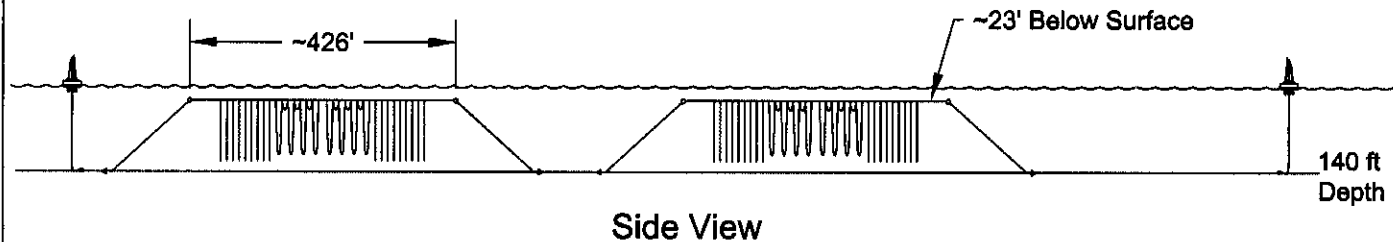
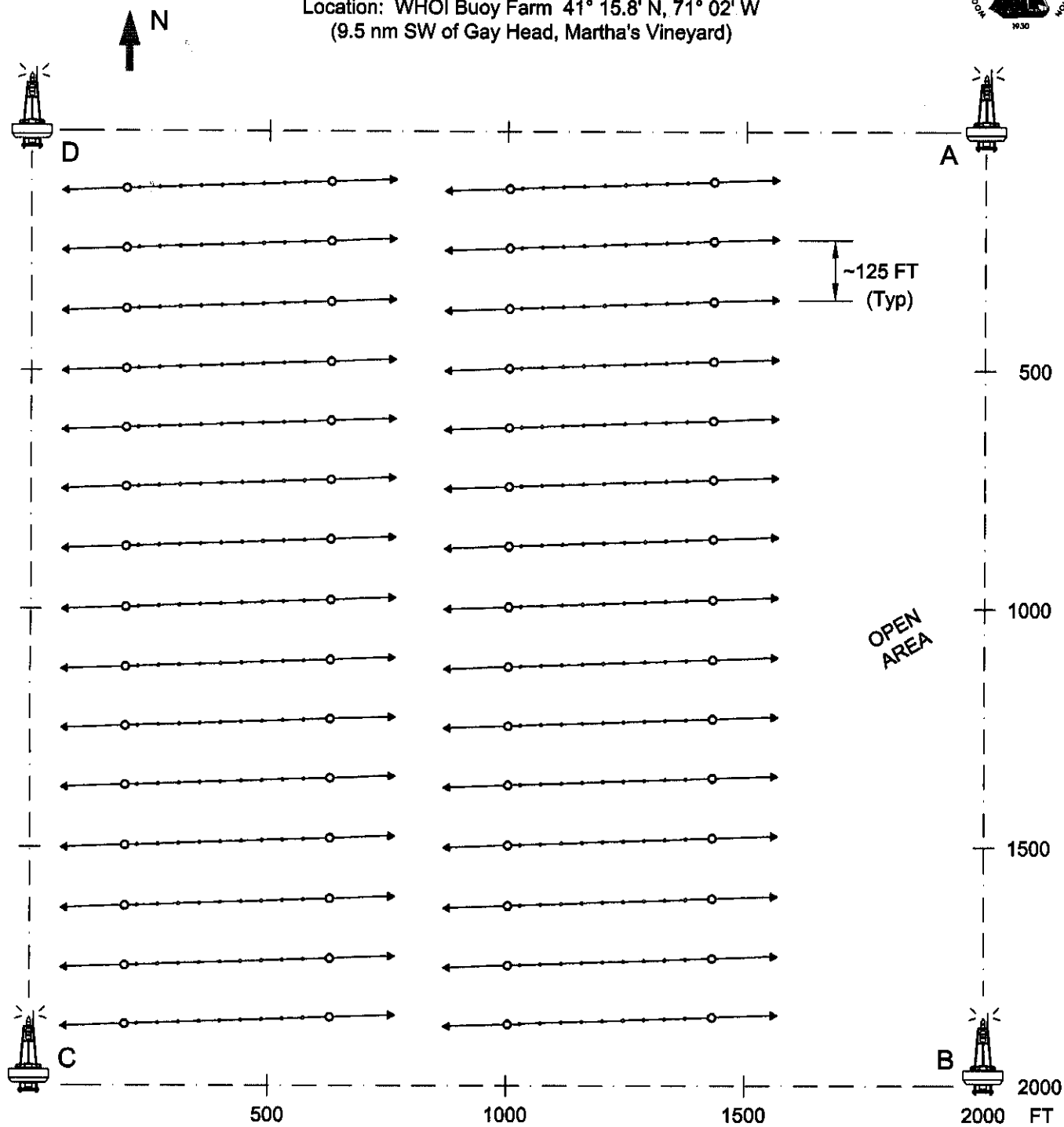


Figure 1: Offshore Mussel Moorings Arrangement

Location: WHOI Buoy Farm 41° 15.8' N, 71° 02' W  
(9.5 nm SW of Gay Head, Martha's Vineyard)



Note: Mooring details not final

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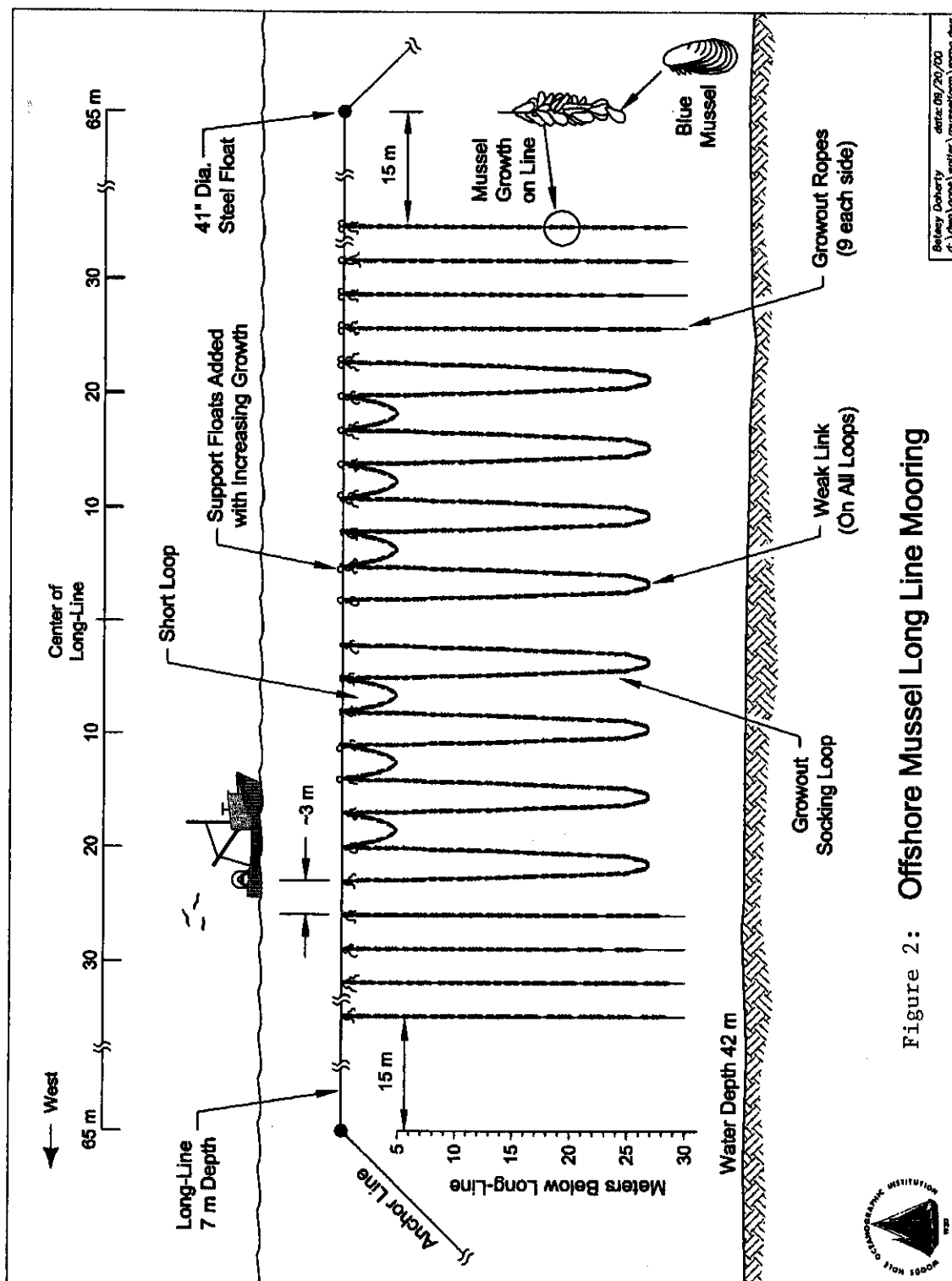
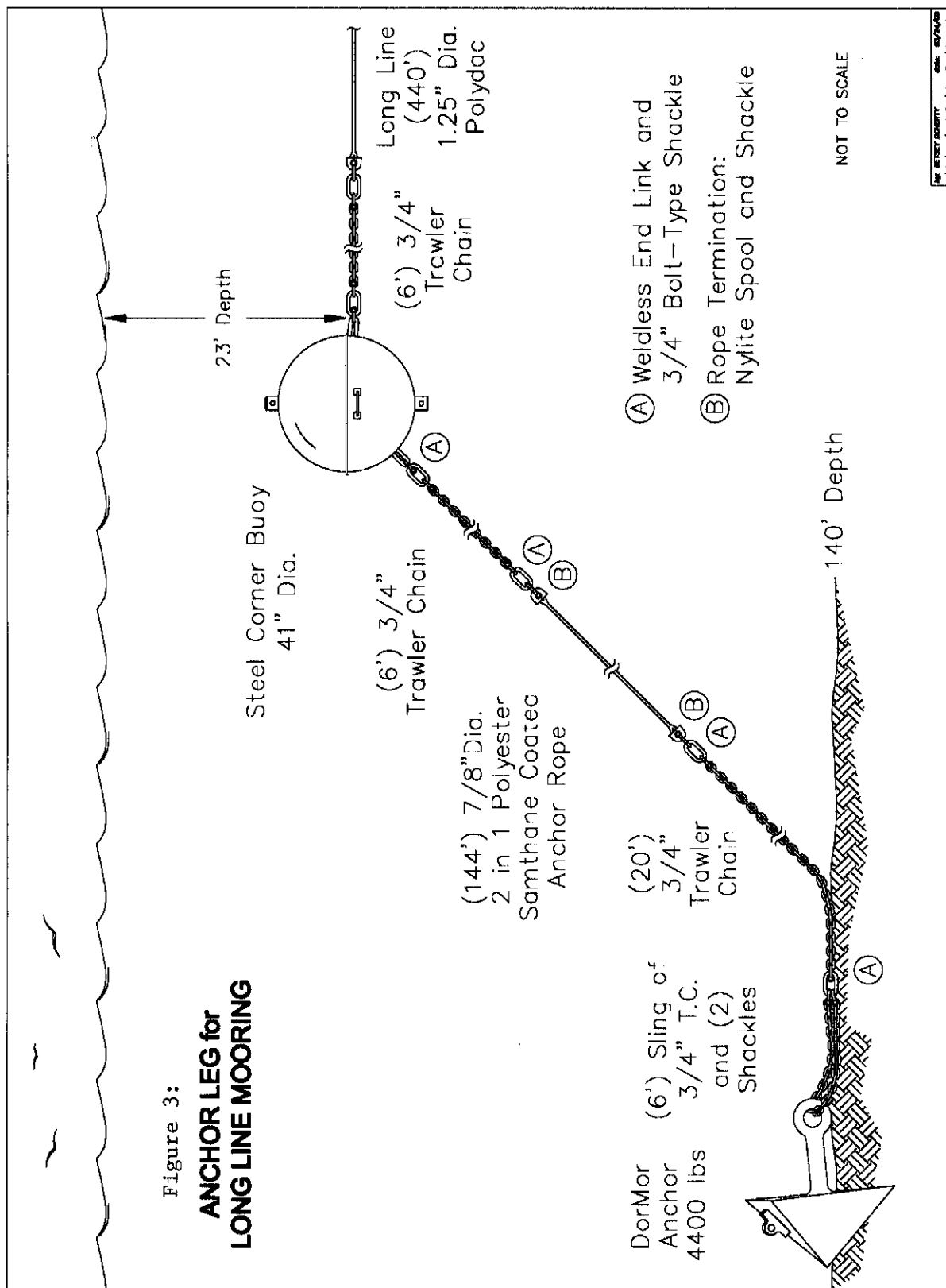


Figure 3:  
**ANCHOR LEG for  
LONG LINE MOORING**





**Figure 4:** Raising ropes covered with up to 18 inches of mussels was much more than expected and made harvesting the mussels a challenging task.